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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,209	10/30/2003	Dong-Sik Cho	SAM-0444	2218
7590	09/14/2005		EXAMINER	
Steven M. Mills MILLS & ONELLO LLP Suite 605 Eleven Beacon Street Boston, MA 02108			MULL, FRED H	
			ART UNIT	PAPER NUMBER
			3662	
				DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/697,209	CHO, DONG-SIK	
	Examiner	Art Unit	
	Fred H. Mull	3662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 1-2-2004, 02/10/2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-41 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-41 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 02 January 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 2-10-2005.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as indicated in the Notice of Draftperson's Patent Drawing Review.

Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Schipper.

Schipper discloses receiving at a receiver a first GPS signal from a first GPS satellite at a first position of the first GPS satellite;

receiving at the receiver a second GPS signal from the first GPS satellite at a second position of the first GPS satellite;

determining a position of the receiver using the first and second GPS satellite; and

using as many as four satellites in positioning (Fig. 1; col. 5, line 36 to col. 9, line 4), where the GPS satellite(s) are at different positions at different times as a result of their orbital motion.

3. Claims 1-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Dutka.

Dutka discloses receiving at a receiver a first GPS signal from a first GPS satellite at a first position of the first GPS satellite;

receiving at the receiver a second GPS signal from the first GPS satellite at a second position of the first GPS satellite;

determining a position of the receiver using the first and second GPS satellite;
and

using as many as four satellites in positioning (Fig. 1; col. 2, lines 5-38), where the GPS satellite(s) are at different positions at different times as a result of their orbital motion.

4. Claims 1-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Abraham.

Abraham discloses receiving at a receiver a first GPS signal from a first GPS satellite at a first position of the first GPS satellite;

receiving at the receiver a second GPS signal from the first GPS satellite at a second position of the first GPS satellite;

determining a position of the receiver using the first and second GPS satellite;
and

using as many as four satellites in positioning (Figs. 2-4; abstract, ¶ 12-13), where the GPS satellite(s) are at different positions at different times as a result of their orbital motion.

5. The examiner also finds the following reference(s) relevant:

yet2.com, which teaches single satellite GPS positioning and determining distance between a satellite and a receiver at different times.

Applicant is encouraged to consider these documents in formulating their response (if one is required) to this action, in order to expedite prosecution of this application.

6. The examiner also finds the following reference(s) relevant, but not prior art:

Dyckman, published in 2005.
7. This action includes the use of documents archived by the Wayback Machine Internet Archive (<http://www.archive.org/>), in order to provide a date at which the document was publicly available on the internet. Note that a publication date determined from the Wayback Machine Internet Archive is not necessarily the earliest publication date, but simply the date the archive stored a copy of the document.

Additionally, a document which does not have a copy in the archive is not necessarily a recent creation, it simply has not been archived.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred H. Mull whose telephone number is 571-272-6975. The examiner can normally be reached on M-F 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza can be reached on 571-272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fred H. Mull
Examiner
Art Unit 3662

fhm



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